

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KEVIN A. SMITH,

Plaintiff,

-against-

WESTHAB TRAVERSE HOUSE, ET AL.,

Defendants.

24-CV-4961 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff proceeds *pro se* in this matter. By order dated January 2, 2025, the Court held that Plaintiff's complaint failed to state a claim on which relief can be granted and granted him 60 days' leave to file an amended complaint. (ECF 4.)

On January 30, 2025, the Court received Plaintiff's request for an extension of time to file an amended complaint. (ECF 5.) The Court grants Plaintiff an extension and directs him to file an amended complaint within 60 days of the date of this order. If Plaintiff fails to file an amended complaint within this deadline, and cannot show good cause to excuse such failure, the Court will enter judgment in this matter, for the reasons stated in its January 2, 2025 order.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: February 7, 2025  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge

**FEDERAL PRO SE LEGAL ASSISTANCE PROJECT**

in the Southern District of New York (SDNY)

**ABOUT THE PROJECT**

The Federal Pro Se Legal Assistance Project (Fed Pro) provides limited assistance to self-represented litigants (plaintiffs and defendants) with cases involving civil legal matters in the United States District Court for the Southern District of New York (SDNY).

**HOW TO SCHEDULE AN APPOINTMENT**

To schedule an appointment for assistance with City Bar Justice Center's Fed Pro project, you must first complete our online Intake Form.

- Our online Intake Form is accessible via one of these methods:
  - Scan the QR code to the right.
  - Go to [bit.ly/prosesdny](https://bit.ly/prosesdny)
- Once on the City Bar Justice Center Federal Pro Se Legal Assistance page, scroll down to "**SDNY**" and then click "**APPLY FOR HELP**" to be taken to the Intake Form.
- When the Intake Form asks: "How can we help you", please select "**Federal Court Case**" from the drop-down menu. The Fed Pro SDNY office will receive your application ONLY if you select "federal court case." If you select anything else, you will need to re-complete your application.



Once you complete the form, someone will contact you, usually within five business days, to schedule an appointment. If you are not able to complete the Intake Form, please call **(212) 382-4794**, leave a detailed message, and wait for us to call you back, typically within five business days.

**HOW WE HELP**

While we cannot provide full representation, we can assist litigants by providing limited-scope services such as:



**Counseling** about potential federal claims prior to filing suit



Consulting on **discovery** matters



**Interpreting and explaining** federal law and procedure



Assisting with the **settlement** process (including **mediation**)



**Reviewing drafted pleadings and** correspondence with the Court